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RATHE PATENT & IP LAW
10611 W. HAWTHORNE FARMS LANE
MEQUON, WI 53097

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OFFICE OF PETITIONS

In re Application of	:	
TYRA et al	:	
Application No.: 10/624,720	:	DECISION ON PETITION
Filing Date: July 21, 2003	:	UNDER 37 CFR 1.137(b)
Attorney Docket No.: 480/US/2	:	

This is a decision on the petition under 37 CFR 1.137(b), filed September 18, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed February 16, 2006, which set a shortened statutory period for reply of one (1) month or thirty (30) days whichever was longer. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, by operation of law, the above-identified application became abandoned on March 17, 2006.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an election of the invention to be examined; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the non-final Office action mailed February 16, 2006 is accepted as having been unintentionally delayed.

The Notice of Abandonment mailed September 18, 2006 is hereby VACATED.

This application is being referred to Technology Center AU 2166 for appropriate action on the reply in due course.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3301.

Daniel Stemmer
Legal Examiner
Office of the Deputy Commissioner
for Patent Examination Policy